

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EMBER RUSSELL,

Plaintiff,

V.

CIVIL ACTION NO. 04-30031-KPN

LONG VIEW RECREATIONAL
VEHICLES, INC. AND LONG VIEW
RV SUPERSTORES,
Defendant.

JOINT MOTION TO MODIFY PRETRIAL
SCHEDULING ORDER

The parties to the above-entitled matter respectfully request that the Pretrial Scheduling Order be amended as follows:

1. Paragraph 3 be amended to allow for non-expert depositions be completed by April 1, 2005.

As grounds therefore, the parties state that:

1. The parties have been actively discussing the possibility of resolving this matter short of trial and have placed time and effort toward that end;
2. To that end, the parties have agreed to pursue private mediation;
3. The parties sought the earliest available date from the mediator who was not available until February 25, 2005;
4. The parties believe that mediation would be more fruitful if neither party had to accrue additional costs and devote additional litigation resources prior to that time;

5. In addition, at the last motion session before the Court, the Court ordered certain documents produced by the plaintiff including the plaintiff's tax information for the years 2001 to the present. The plaintiff has requested her tax returns from the Internal Revenue Service and does not anticipate their receipt prior to February 28, 2005.

6. With the requested additional time, the parties believe they can adequately pursue the possibility of resolution short of trial and, perhaps avoid the need to use additional judicial and other resources.

Dated: February 11, 2005

Respectfully submitted,

THE PLAINTIFF
By her Attorney,

THE DEFENDANTS
By their attorney

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